

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VIAMEDIA, INC.,

Plaintiff,

v.

COMCAST CORPORATION and
COMCAST CABLE COMMUNICATIONS
MANAGEMENT, LLC,

Defendants.

No. 16 C 5486

Honorable Charles R. Norgle, Sr.

PLAINTIFF’S MOTION FOR LEAVE TO FILE CERTAIN DOCUMENTS UNDER SEAL

Plaintiff Viamedia, Inc. (“Viamedia”), by and through its undersigned counsel, respectfully moves the Court, pursuant to Federal Rule of Civil Procedure 26(c) and Local Civil Rule 26.2, for leave to file certain documents under seal. In support, Viamedia states as follows:

1. Viamedia submits this Motion for Leave to File Under Seal three documents (the “Documents”) cited in Viamedia’s Opposition to Defendants’ Motion to Compel, dated November 20, 2020 (the “Opposition”).

2. The Documents, which are attached as an exhibit to this motion, have been designated “Confidential” or “Highly Confidential” by Viamedia under the Agreed Confidentiality Order entered by this Court on December 2, 2016 (ECF No. 44).

3. Pursuant to Local Civil Rule 26.2, Viamedia has provisionally filed the Documents under seal, and Viamedia has also simultaneously filed the Opposition, with placeholders for the Documents.

4. Documents or portions thereof that contain trade secrets or other “legitimately confidential information” that, if disclosed, could cause undue private or public harm may be

kept under seal. *See e.g., County Materials Corp. v. Allan Block Corp.*, 502 F.3d 730, 740 (7th Cir. 2007); *Citizens First Nat'l Bank v. Cincinnati Ins. Co.*, 178 F.3d 943, 944-46 (7th Cir. 1999). The Court, upon a proper showing that a document contains confidential commercial information may issue a protective order to maintain the confidentiality of that information. *E.g., Citizens First*, 178 F.3d at 945-46. Here, the parties have been operating under the aforementioned Agreed Confidentiality Order entered by this Court on December 2, 2016. Sealing the documents referenced below is consistent with that Agreed Confidentiality Order.

WHEREFORE, Viamedia respectfully requests that the Court enter an Order pursuant to Federal Rule of Civil Procedure 26(c) and Local Civil Rule 26.2, granting Viamedia leave to file the Documents under seal.

Dated: November 20, 2020

Respectfully submitted,

/s/ Richard J. Prendergast

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CERTIFICATE OF SERVICE

I, Richard J. Prendergast, an attorney of record in the above-captioned case, hereby certify that on November 20, 2020, I caused to be served a true and correct copy of Plaintiff's Motion for Leave to File Certain Documents Under Seal upon the following counsel via electronic means:

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/s/ Richard J. Prendergast